

Notice of Allowability

Application No.

10/522,038

Examiner

CUONG H. NGUYEN

Applicant(s)

FISCHER ET AL.

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the proposed amendment, and the interview on 1/30, 2/02, and 2/07/06.
2. ☒ The allowed claim(s) is/are 15-28, they are renumbered as claims 1-14. Formal drawings are accepted (7/19/2005).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1/18/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 2/02/06
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

CUONG H. NGUYEN
Primary Examiner
Art Unit: 3661

DETAILED ACTION

1. This Office Action is the answer to the interviews on 1/30/2006, 2/02/2006, and the proposed amendment received on 2/07/2006.

Status of the claims

2. Claims 15-28 are pending; claims 1-14 were confirmed canceling on 2/07/2006.

Drawings

3. Formal drawings were acceptable by the examiner on 11/07/05.

Examiner's amendment:

4. An examiner's amendment to the record appears below. The authorization for this amendment was given in a telephone interview with Mr. Walter F. Fasse (Reg. # 36,132) on 2/07/2006. Should the changes and additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Note: Please refer to an attached fax copy of proposed amendment received on 2/07/2006 for easy entering; especially referring "a corresponding line number" of above claims.

5. The pending claims are amended as followed:
 - a. Claim 1, line 5, replace "(19)" with – (10) --
 - b. Claim 1, line 8, replace "(16, 19)" with – (16) --
 - c. Claim 1, line 17, replace a first appearance of "the" with - - a --
 - d. Claim 1, line 17, delete a second appearance of "the"
 - e. Claim 1, line 17, right after "retardation", insert - - is --
 - f. Claim 1, line 19, right after "(d_{LW})", insert - - is –

- g. Claim 20, line 1, substitute "Method", with - - The method - -
- h. Claim 24, line 2, substitute "is", with - - in - -
- i. Claim 26, line 4, substitute "(19)", with - - (16) - -
- j. Claim 27, line 2, substitute "the driver", with - - a driver of a vehicle- -
- k. Claim 27, line 3, right after "shunting", insert - - maneuver, - -
- l. Claim 27, line 4, delete "maneuver as claimed in claim 15,"
- m. Claim 27, line 5, right after "(16)", insert - - along which the, - -
- n. Claim 27, line 6, right before "corresponding", insert - - vehicle (10) is to be moved - -
- o. Claim 27, line 7, right after "maneuver," delete "and"
- p. Claim 27, line 9, right after "trajectory", delete "(19)"
- q. Claim 27, line 9, right after "trajectory", insert - - (16), an evaluation device, and retardation means (50) and/or forward drive means (51) for influencing - -
- r. Claim 27, line 12, right after "(v)", insert - - , wherein the - -
- s. Claim 27, line 12, delete "being"
- t. Claim 27, line 13, right before "retardation means" delete "influenced by"
- u. Claim 27, line 14, right before "can" delete "that"
- v. Claim 27, line 18, right after "in" delete "an"
- w. Claim 27, line 19, right before "evaluation" insert "the"
- x. Claim 27, line 22, right after "that" substitute "the", with - - a - -
- y. Claim 27, line 22, right after "greater" delete "the"
- z. Claim 27, line 22, right after "retardation" insert - - is - -
- aa. Claim 27, line 24, right after "(d_{LW})", insert - - is -

- bb. Claim 28, line 4, right after “and” substitute “the” with - - a --
- cc. Claim 28, line 5, right after “(70)”, insert - - of a trailer being towed by the vehicle

Allowable Subject Matter & Reasons for Allowance

6. Independent claims 15, and 27 are patentable over the closest references of Serizawa (US Pat. 5,615,117), and Lin et al. (US Pat. 6,122,584), because they do not anticipate nor fairly and reasonably disclose a method and a device for assisting a driver of a vehicle when performing a driving maneuver formed by a parking or shunting maneuver, besides other limitations, above claims require that there are an evaluation device, and retardation means for influencing the vehicle longitudinal speed, wherein the retardation means are activated independently of the driver if a steering angle deviation between the actual steering angle actually set by the driver and the desired steering angle corresponding to the requested steering wheel position is established in the evaluation device, characterized in the vehicle longitudinal speed is influenced on the basis of the magnitude of the steering angle deviation in such a way that a greater vehicle retardation is carried out, the greater the magnitude of the steering angle deviation is.

In Serizawa, he discloses that steering control is executed from a feedback control of a compensatory front wheel steering actuator according to a deviation of an actual yaw rate from the target yaw rate; and executing a feed-forward control of the rear wheel steering actuator so as to reduce a side slip angle of the vehicle substantially to zero.

- 7. Claims 16-26, and 28 are allowed because they are dependent on claims 1, and 27.
- 8. Claims 15-28 are renumbered as claims 1-14.


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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CUONG H. NGUYEN
Primary Examiner
Art Unit 3661